

REGULAR CITY COUNCIL MEETING
AUGUST 8, 1994

PRESENT

Don Dafoe	Mayor
Gayle Bunker	Council Member
Alan Burraston	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member
Dale Roper	Council Member

ABSENT

None

OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Michael Rose	City Resident
Kathy Walker	City Resident
Anita Pittman	City Resident
Gregory Schafer	City Employee
Boy Scouts of America Troop	
Broderick Brothers	
Gary Ryther	

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, KNAK Radio Station, and to each member of the City Council by personal delivery two days prior to the meeting.

Council Member Robert Dekker offered an invocation, after which Mayor Dafoe led the Council in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held June 27, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections, after which Council Member Robert Dekker MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Roper. Mayor Dafoe asked if there were any comments or questions

regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Special City Council Meeting held July 26, 1994, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council Member Robert Droubay MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Gayle Bunker MOVED that the accounts payable be approved for payment as listed in the amount of \$52,597.65. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESS

COUNCIL MEMBER GAYLE BUNKER: APPOINTMENT OF PLANNING COMMISSION MEMBERS

Mayor Dafoe asked Council Member Gayle Bunker to discuss the appointment of a Planning Commission Member to fill Council Member Dale Roper's term.

Council Member Gayle Bunker said that he talked with Kathy Walker regarding the Planning Commission vacancy, and she is willing to fill Dale Roper's term.

Councilman Gayle Bunker MOVED to appoint Kathy Walker as a Planning Commission Member to fill Dale Roper's term, which expires in February 1996. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER GAYLE BUNKER: AMENDMENT TO SUBDIVISION ORDINANCE

Mayor Dafoe asked Council Member Gayle Bunker to present an amendment to Delta City's Subdivision Ordinance.

Council Member Gayle Bunker presented and reviewed a proposed ordinance entitled:

ORDINANCE NO. 94-161

AN ORDINANCE AMENDING THE DELTA CITY SUBDIVISION ORDINANCE AND STANDARDS (1980 EDITION) FOR THE PURPOSE OF REDEFINING THE TERM "SUBDIVISION" TO COMPLY WITH STATE LAW PURSUANT TO TITLE 10, CHAPTER 9, UTAH CODE ANNOTATED (1953), AS AMENDED.

Following discussion, Council Member Gayle Bunker MOVED to adopt Ordinance No. 94-161 as presented. The motion was SECONDED by Council Member Dale Roper. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member Alan Burraston	Yes
Council Member Robert Droubay	Yes
Council Member Robert Dekker	Yes
Council Member Dale Roper	Yes

Mayor Dafoe then signed the ordinance. Mayor Dafoe's signature was attested to by City Recorder Dorothy Jeffery.

COUNCIL MEMBER ROBERT DROUBAY: APPOINTMENT OF LIBRARY BOARD MEMBERS

Mayor Dafoe asked Council Member Robert Droubay to discuss an appointment of Library Board Members.

Council Member Robert Droubay explained that David Hahn and Gerry Ogden's terms have expired. Councilman Droubay then MOVED that David Hahn be reappointed for another four year term and that Karen Chandler be appointed to fill Gerry Ogden's vacancy on the Library Board. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: DISCUSSION OF RATES FOR DUMPING OF SEPTIC TANKS AT THE DELTA CITY SEWER LAGOONS

Mayor Dafoe asked Public Works Director Neil Forster to discuss rates for dumping septic tanks in to the Delta City Sewer Lagoons.

Public Works Director Neil Forster said that two individuals that have septic tank pumping businesses have contacted him to let them dump in to Delta City's Sewer Lagoons because they can no longer empty septic tanks at the Millard County Landfill. He said that he contacted the Department of Environmental Quality and they said they do not have a problem with emptying septic tanks at the sewer lagoon as long as they are dumping in to a dry cell.

Mr. Forster said that he has allowed two carriers to empty their tanks during the past month at no charge. However, he said that better arrangements need to be made as far as access to a dry cell, and a fee needs to be established. He also said that the active cells need to be made inaccessible for dumping septic tanks.

Discussion was held and the City Council decided that the sewer lagoon cell will be available for septic tanks that have been pumped within Millard County only. Upon dumping, the carrier will have to provide an origination receipt clarifying that it was pumped within Millard County.

The Council felt that where this is a service to Millard County and that most of the septic tanks would be pumped within Millard County rather than Delta City that Millard County should share in the expense of the site preparation. Site preparation costs would include chain link fencing, earth work, etc.

Attorney Richard Waddingham said that there is a question of equal protection with this type of service. Everyone needs to be treated equal; however, with the sewer lagoon being such a limited resource for emptying septic tanks, it can be limited to septic tanks that have been pumped in Millard County only by locally licensed carriers.

Rates were then considered and the City Council decided that a fee of \$25 per septic tank would be charged.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION ESTABLISHING RATES FOR THE DUMPING OF SEPTIC TANKS

Mayor Dafoe asked Attorney Richard Waddingham to present a resolution establishing the rates for the dumping of septic tanks.

Attorney Waddingham said that after the discussion of the rates, procedures, and etc. that he will need to prepare an Interlocal Agreement between Delta City and Millard County that would obligate Millard County to 75% of the costs involved in preparing the sewer lagoon for the dumping of septic tanks.

He will also prepare a Resolution adopting the \$25 per septic tank rate.

Following discussion, Council Member Robert Dekker MOVED to table this item in order to allow Attorney Waddingham further time for preparation of an Interlocal Agreement and a Resolution. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

BOYD BRODERICK: REQUEST FOR IRRIGATION WATER

Mayor Dafoe asked Boyd Broderick to address the City Council regarding a request for irrigation water.

Mr. Boyd Broderick said that he attended a City Council Meeting in June wherein he requested delivery of irrigation water to his property. A motion was made in that meeting that stated if Mr. Broderick was willing to stand the expenses incurred in delivering water to his property, then together with Public Works Director Neil Forster, they could determine the best route feasible.

Public Works Director Neil Forster said that water can be delivered from 400 West along the old Rail Road right-of-way into the northwest corner of Mr. Broderick's property. Mr. Forster said that he has obtained verbal approval to use the right-of-way from Utah Power & Light.

Mr. Forster said that the expenses involved would be to dig a ditch and cross the alley way with a 15" culvert. Also a double headgate would be required on 400 West.

Mr. Broderick said that he agreed to stand the expense of getting the water to his property. However, at this time he feels that, where he is a taxpayer within Delta City, the City should pay for at least one-half of the expense incurred if not all of the expense.

Mayor Dafoe said that at the time of Mr. Broderick's request he agreed to stand the expense of obtaining irrigation water, so they will proceed with that agreement.

Mr. Broderick then said he would contact Hale Jeffery and begin the project.

GARY RYTHER/MIKE ROSE, CITY RESIDENTS: REQUEST FOR REPAIRS OF INTERSECTION LOCATED AT 300 SOUTH 200 WEST

Mayor Dafoe asked Gary Ryther and Mike Rose to address the City Council regarding a request for repairs at the intersection located at 300 South 200 West.

Gary Ryther and Mike Rose said that the intersection at 300 South 200 West between Max Humphries' and Hale Jeffery's property is really low and when vehicles drive through it they scrape their bumpers. They also said that the asphalt is deteriorating there. They requested that it be fixed so it is not such a drop to drive through.

Discussion was held regarding a plan for repair that will also maintain flow for the storm drain. Mr. Forster said that repair on that intersection cannot be done until next Spring.

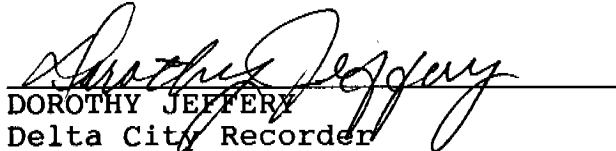
OTHER BUSINESS

Council Member Robert Dekker requested approval to place the Sheriff's Office satellite dish on top of the City Office Building in order to receive better reception. The Council agreed to the relocation of the satellite dish.

Discussion was held regarding upgrading Public Works Director Neil Forster's cellular telephone when better service is available.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Gayle Bunker MOVED to adjourn. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:25 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 8-22-94